

**BEFORE THE ARIZONA STATE BOARD
RESPIRATORY CARE EXAMINERS**

In the Matter of:)	CASE NO. 2018-RCE-0078
)	
KAREN WARNER, RCP)	
Holder of License No. 008713)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW, AND
For the Practice of Respiratory Care)	ORDER FOR REVOCATION
In the State of Arizona)	
_____)	

Karen Warner, RCP (“Respondent”), did not appear before the Arizona State Board of Respiratory Care Examiners (“Board”) for a Formal Administrative Hearing on Thursday, June 20, 2019. Frankie Shinn-Eckberg, Assistant Attorney General, appeared on behalf of the State of Arizona. Mary Williams, Assistant Attorney General, appeared as independent advice counsel for the Board. Following the presentation of the State’s Motion to Deem the Allegations Admitted, pursuant to A.R.S. § 32-3553(K), the Board voted to grant the State’s Motion and adopted the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. The Arizona State Board of Respiratory Care Examiners is the duly constituted agency for licensing and regulating of the practice of respiratory care in the State of Arizona and has jurisdiction over Respondent as a licensee of the Board and the subject matter pursuant to A.R.S. § 32-3501, *et seq.*

2. Karen Warner, RCP (“Respondent”), was the holder of License Number 008713 which enabled her to practice respiratory care in the State of Arizona prior to this Order.

3. Respondent’s license to practice respiratory care was originally issued on August 28, 2008 and would have expired on February 4, 2020 prior to this Order.

4. On April 9, 2019, the Board received information from Respondent’s employer, Northwest Medical Center, that Respondent had tested positive for an illicit substance during a mandatory and random drug screen performed on March 11, 2019.

1 which states, “Immorality or misconduct that tends to discredit the respiratory therapy
2 profession.”

3 3. The conduct described in the Findings of Fact constitute grounds for disciplinary
4 action pursuant to A.R.S. §§ 32-3552(A)(3) and violate the provisions of A.R.S. § 32-3501(9)(i)
5 which states, “Any conduct or practice which is contrary to recognized standards of ethics of the
6 respiratory therapy profession or any conduct or practice which does or might constitute a danger
7 to the health, welfare or safety of the patient or the public.”

8 4. The conduct described in the Findings of Fact constitute grounds for disciplinary
9 action pursuant to A.R.S. §§ 32-3552(A)(3) and violate the provisions of A.R.S. § 32-3501(9)(j)
10 which states, “Any conduct, practice or condition which does or might impair the person’s ability
11 to safely and skillfully practice respiratory therapy.”

12 5. The conduct described in the Findings of Fact constitute grounds for disciplinary
13 action pursuant to A.R.S. §§ 32-3552(A)(3) and violate the provisions of A.R.S. § 32-3501(9)(k),
14 which states, “Violating or attempting to violate, directly or indirectly, or assisting in or abetting
15 the violation of or conspiring to violate a provision of this chapter.”

16 6. The conduct described in the Findings of Fact constitute grounds for disciplinary
17 action pursuant to A.R.S. §§ 32-3552(A)(3) and violate the provisions of A.R.S. § 32-3501(9)(l)
18 which states, “Failing to report to the board within ten calendar days an incident or incidents that
19 appear to show the existence of a cause for disciplinary action or that a licensed respiratory care
20 practitioner is or may be professionally incompetent or is or may be mentally or physically
21 unable to engage safely in the practice of respiratory care.”

22 7. The conduct described in the Findings of Fact constitute grounds for disciplinary
23 action pursuant to A.R.S. §§ 32-3552(A)(3) and violate the provisions of A.A.C. R4-45-214 (1),
24 which states, “Engaging in the practice of respiratory care in a manner that harms or may harm a
25 patient or that the Board determines falls below the community standard.”

26 8. The conduct described in the Findings of Fact constitute grounds for disciplinary

1 action pursuant to A.R.S. §§ 32-3552(A)(3) and violate the provisions of A.A.C. R4-45-214 (6),
2 which states, “Endangering a patient’s or the public’s physical or emotional health or safety or
3 engaging in conduct or practice that may reasonably be expected to do so.”

4 9. The conduct described in the Findings of Fact constitute grounds for disciplinary
5 action pursuant to A.R.S. §§ 32-3552(A)(3) and violate the provisions of A.A.C. R4-45-214 (12),
6 which states, “Using or being under the influence of alcohol, illegal drugs or substances, or drugs
7 or substances that impair judgment, while on duty in any health care work location.”

8 **ORDER**

9 Based upon the foregoing Findings of Fact and Conclusions of Law, **IT IS HEREBY**
10 **ORDERED THAT** License No. 008713 issued to Karen Walker shall be **REVOKED** on the
11 effective date of this Order.

12 **IT IS FURTHER ORDERED** that Karen Walker may not apply to the Board for
13 reinstatement of her license for at least one calendar year from the issuance date of this Order,
14 as specified in A.R.S. § 32-3554 (A) and (B).

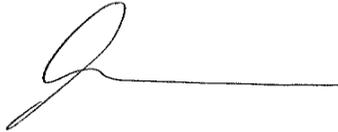
15 **NOTICE**

16 In order to be eligible for judicial review pursuant to Title 12, Chapter 7, Article 6, you
17 are required to exhaust your administrative remedies by filing a motion for rehearing or review
18 of the Board’s decision within thirty-five days after these Findings of Fact, Conclusions of Law,
19 and Order are mailed to you at your last known address, or thirty days after they are personally
20 served upon you. Pursuant to A.R.S. § 41-1092.09(B), you are notified that failure to file a
21 motion for rehearing or review in writing at the Board’s office by that date has the effect of
22 prohibiting you from seeking judicial review of the Board’s decision.



23 DATED THIS 21ST DAY OF JUNE, 2019.

24 ARIZONA STATE BOARD OF RESPIRATORY CARE
25 EXAMINER^C

26 By: 
Jack Confer, Executive Director

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Original Findings of Fact, Conclusions
of Law, and Order for Revocation of License to
Practice Respiratory Care filed this
21st day June, 2019 with the:

Arizona Board of Respiratory Examiners
1740 West Adams Street, Suite 3406
Phoenix, Arizona 85007

Copy of the foregoing send by Electronic,
certified and Regular mail this 21st day
of June, 2019 to:

Karen Walker
Address of Record

Copy of the foregoing sent by electronic
mail this 21st day of June, 2019 to:

Frankie Shinn-Eckberg, Assistant Attorney General
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